



one or more intermediaries, of (i) more than fifty percent (50%) of the shares of stock entitled to vote for the election of directors, in the case of a corporation, or (ii) more than fifty percent (50%) of the equity interests in the case of any other type of legal entity or status as a general partner in any partnership, or (b) any other arrangement whereby an entity or person has the right to elect a majority of the board of directors or equivalent governing body of a corporation or other entity or the right to direct the management and policies of a corporation or other entity.

3. Except as specifically authorized pursuant to the Settlement Agreement, InnoPharma, including any of its Affiliates, successors and assigns, is enjoined from making, having made, using, selling, offering to sell, importing or distributing of the InnoPharma Product, to the extent such action would infringe one or more claims of United States Patent Numbers 7,417,042, 7,737,112, and 8,207,125.

4. Compliance with this Consent Judgment may be enforced by Onyx and InnoPharma and their successors in interest, or assigns, as permitted by the terms of the Settlement Agreement.

5. This Court retains jurisdiction to enforce or supervise performance under this Consent Judgment and the Settlement Agreement.

6. InnoPharma hereby withdraws all factual allegations in its pleadings, including those concerning unclean hands, litigation misconduct, and inequitable conduct, and its foregoing affirmative defenses and counterclaims as well as all other claims, counterclaims, affirmative defenses and demands in this action by either Onyx or InnoPharma are hereby dismissed with prejudice and without costs, disbursements or attorneys' fees to any party.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Megan E. Dellinger*

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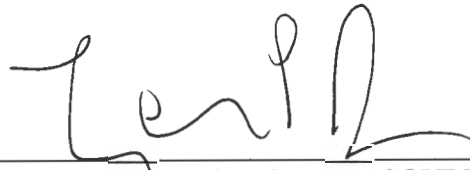
PHILLIPS GOLDMAN McLAUGHLIN & HALL,  
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*/s/ John C. Phillips, Jr.*

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UNITED STATES DISTRICT COURT JUDGE